

FEDERAL OPERATING PERMIT

A FEDERAL OPERATING PERMIT IS HEREBY ISSUED TO
El Dorado Nitrogen L.L.C.

AUTHORIZING THE OPERATION OF
Baytown Nitric Acid Plant
Nitrogenous Fertilizer Manufacturing

LOCATED AT
Chambers County, Texas
Latitude 29° 45' 47" Longitude 94° 54' 36"
Regulated Entity Number: RN100217918

This permit is issued in accordance with and subject to the Texas Clean Air Act (TCAA), Chapter 382 of the Texas Health and Safety Code and Title 30 Texas Administrative Code Chapter 122 (30 TAC Chapter 122), Federal Operating Permits. Under 30 TAC Chapter 122, this permit constitutes the permit holder's authority to operate the site and emission units listed in this permit. Operations of the site and emission units listed in this permit are subject to all additional rules or amended rules and orders of the Commission pursuant to the TCAA.

This permit does not relieve the permit holder from the responsibility of obtaining New Source Review authorization for new, modified, or existing facilities in accordance with 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification.

The site and emission units authorized by this permit shall be operated in accordance with 30 TAC Chapter 122, the general terms and conditions, special terms and conditions, and attachments contained herein.

This permit shall expire five years from the date of issuance. The renewal requirements specified in 30 TAC § 122.241 must be satisfied in order to renew the authorization to operate the site and emission units.

Permit No: O1700 Issuance Date: _____

For the Commission

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General Terms and Conditions

The permit holder shall comply with all terms and conditions contained in 30 TAC § 122.143 (General Terms and Conditions), 30 TAC § 122.144 (Recordkeeping Terms and Conditions), 30 TAC § 122.145 (Reporting Terms and Conditions), and 30 TAC § 122.146 (Compliance Certification Terms and Conditions).

In accordance with 30 TAC § 122.144(1), records of required monitoring data and support information required by this permit, or any applicable requirement codified in this permit, are required to be maintained for a period of five years from the date of the monitoring report, sample, or application unless a longer data retention period is specified in an applicable requirement. The five year record retention period supersedes any less stringent retention requirement that may be specified in a condition of a permit identified in the New Source Review Authorization attachment.

If the permit holder chooses to demonstrate that this permit is no longer required, a written request to void this permit shall be submitted to the Texas Commission on Environmental Quality (TCEQ) by the Responsible Official in accordance with 30 TAC § 122.161(e). The permit holder shall comply with the permit's requirements, including compliance certification and deviation reporting, until notified by the TCEQ that this permit is voided.

The permit holder shall comply with 30 TAC Chapter 116 by obtaining a New Source Review authorization prior to new construction or modification of emission units located in the area covered by this permit.

All reports required by this permit must include in the submittal a cover letter which identifies the following information: company name, TCEQ regulated entity number, air account number (if assigned), site name, area name (if applicable), and Air Permits Division permit number(s).

Special Terms and Conditions:

Emission Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting

1. Permit holder shall comply with the following requirements:
 - A. Emission units (including groups and processes) in the Applicable Requirements Summary attachment shall meet the limitations, standards, equipment specifications, monitoring, recordkeeping, reporting, testing, and other requirements listed in the Applicable Requirements Summary attachment to assure compliance with the permit.
 - B. The textual description in the column titled "Textual Description" in the Applicable Requirements Summary attachment is not enforceable and is not deemed as a substitute for the actual regulatory language. The Textual Description is provided for information purposes only.
 - C. A citation listed on the Applicable Requirements Summary attachment, which has a notation [G] listed before it, shall include the referenced section and subsection for all commission rules, or paragraphs for all federal and state regulations and all subordinate paragraphs, subparagraphs and clauses, subclauses, and items contained within the referenced citation as applicable requirements.
 - D. When a grouped citation, notated with a [G] in the Applicable Requirements Summary, contains multiple compliance options, the permit holder must keep records of when each compliance option was used.
2. The permit holder shall comply with the following sections of 30 TAC Chapter 101 (General Air Quality Rules):

- A. Title 30 TAC § 101.1 (relating to Definitions), insofar as the terms defined in this section are used to define the terms used in other applicable requirements
 - B. Title 30 TAC § 101.3 (relating to Circumvention)
 - C. Title 30 TAC § 101.8 (relating to Sampling), if such action has been requested by the TCEQ
 - D. Title 30 TAC § 101.9 (relating to Sampling Ports), if such action has been requested by the TCEQ
 - E. Title 30 TAC § 101.10 (relating to Emissions Inventory Requirements)
 - F. Title 30 TAC § 101.201 (relating to Emission Event Reporting and Recordkeeping Requirements)
 - G. Title 30 TAC § 101.211 (relating to Scheduled Maintenance, Start-up, and Shutdown Reporting and Recordkeeping Requirements)
 - H. Title 30 TAC § 101.221 (relating to Operational Requirements)
 - I. Title 30 TAC § 101.222 (relating to Demonstrations)
 - J. Title 30 TAC § 101.223 (relating to Actions to Reduce Excessive Emissions)
3. Permit holder shall comply with the following requirements of 30 TAC Chapter 111:
- A. Visible emissions from stationary vents with a flow rate of less than 100,000 actual cubic feet per minute and constructed after January 31, 1972 that are not listed in the Applicable Requirements Summary attachment for 30 TAC Chapter 111, Subchapter A, Division 1, shall not exceed 20% opacity averaged over a six-minute period. The permit holder shall comply with the following requirements for stationary vents at the site subject to this standard:
 - (i) Title 30 TAC § 111.111(a)(1)(B) (relating to Requirements for Specified Sources)
 - (ii) Title 30 TAC § 111.111(a)(1)(E)
 - (iii) Title 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv)
 - (iv) For emission units with vent emissions subject to 30 TAC § 111.111(a)(1)(B), complying with 30 TAC § 111.111(a)(1)(F)(ii), (iii), or (iv), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that are not capable of producing visible emissions such as vents that emit only colorless VOCs; vents from non-fuming liquids; vents that provide passive ventilation, such as plumbing vents; or vent emissions from any other source that does not obstruct the transmission of light. Vents, as specified in the "Applicable Requirements Summary" attachment, that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(B) are not subject to the following periodic monitoring requirements:

- (1) An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
- (2) For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum required value does not constitute creation of an alternative fuel.
- (3) Records of all observations shall be maintained.
- (4) Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
- (5) Compliance Certification:
 - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(B).
 - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as

required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

- (c) Some vents may be subject to multiple visible emission or monitoring requirements. All credible data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.

B. For visible emissions from all other sources not specified in 30 TAC § 111.111(a)(1), (4), or (7); the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(8)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(8)(B)(i) or (ii)
- (iii) For a source subject to 30 TAC § 111.111(a)(8)(A), complying with 30 TAC § 111.111(a)(8)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:
 - (1) An observation of visible emissions from a source which is required to comply with 30 TAC § 111.111(a)(8)(A) shall be conducted at least once during each calendar quarter unless the source is not operating for the entire quarter.
 - (2) Records of all observations shall be maintained.
 - (3) Visible emissions observations of sources operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of sources operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each source in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each source during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
 - (4) Compliance Certification:
 - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(8) and (a)(8)(A)
 - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation

on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(8)(B) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

- C. Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR Part 60, Appendix A) to comply with opacity monitoring requirements shall be accomplished by completing the Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.
 - D. For emission units with contributions from uncombined water, the permit holder shall comply with the requirements of 30 TAC § 111.111(b).
4. The permit holder shall comply with the following requirements for units subject to any subpart of 40 CFR Part 60, unless otherwise stated in the applicable subpart:
- A. Title 40 CFR § 60.7 (relating to Notification and Recordkeeping)
 - B. Title 40 CFR § 60.8 (relating to Performance Tests)
 - C. Title 40 CFR § 60.11 (relating to Compliance with Standards and Maintenance Requirements)
 - D. Title 40 CFR § 60.12 (relating to Circumvention)
 - E. Title 40 CFR § 60.13 (relating to Monitoring Requirements)
 - F. Title 40 CFR § 60.14 (relating to Modification)
 - G. Title 40 CFR § 60.15 (relating to Reconstruction)
 - H. Title 40 CFR § 60.19 (relating to General Notification and Reporting Requirements)

Additional Monitoring Requirements

5. Unless otherwise specified, the permit holder shall comply with the compliance assurance monitoring requirements as specified in the attached "CAM Summary" upon issuance of the permit. In addition, the permit holder shall comply with the following:
- A. The permit holder shall comply with the terms and conditions contained in 30 TAC § 122.147 (General Terms and Conditions for Compliance Assurance Monitoring).
 - B. The permit holder shall report, consistent with the averaging time identified in the "CAM Summary," deviations as defined by the deviation limit in the "CAM Summary." Any monitoring data below a minimum limit or above a maximum limit, that is collected in

accordance with the requirements specified in 40 CFR § 64.7(c), shall be reported as a deviation. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).

- C. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time or minimum frequency specified in the "CAM Summary," for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances in order to avoid reporting deviations. All monitoring data shall be collected in accordance with the requirements specified in 40 CFR § 64.7(c).
 - D. The permit holder shall operate the monitoring, identified in the attached "CAM Summary," in accordance with the provisions of 40 CFR § 64.7.
 - E. The permit holder shall comply with the requirements of 40 CFR § 70.6(a)(3)(ii)(A) and 30 TAC § 122.144(1)(A)-(F) for documentation of all required inspections.
6. The permit holder shall comply with the periodic monitoring requirements as specified in the attached "Periodic Monitoring Summary" upon issuance of the permit. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permit holder shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time or minimum frequency specified in the "Periodic Monitoring Summary," for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances to avoid reporting deviations. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).

New Source Review Authorization Requirements

7. Permit holder shall comply with the requirements of New Source Review authorizations issued or claimed by the permit holder for the permitted area, including permits, permits by rule, standard permits, flexible permits, special permits, permits for existing facilities including Voluntary Emissions Reduction Permits and Electric Generating Facility Permits issued under 30 TAC Chapter 116, Subchapter I, or special exemptions referenced in the New Source Review Authorization References attachment. These requirements:
- A. Are incorporated by reference into this permit as applicable requirements
 - B. Shall be located with this operating permit
 - C. Are not eligible for a permit shield
8. The permit holder shall comply with the general requirements of 30 TAC Chapter 106, Subchapter A or the general requirements, if any, in effect at the time of the claim of any PBR.
9. The permit holder shall maintain records to demonstrate compliance with any emission limitation or standard that is specified in a permit by rule (PBR) or Standard Permit listed in the New Source Review Authorizations attachment. The records shall yield reliable data from the relevant time period that are representative of the emission unit's compliance with the PBR or Standard Permit. These records may include, but are not limited to, production capacity and throughput, hours of operation, safety data sheets (SDS), chemical composition of raw materials, speciation of air

contaminant data, engineering calculations, maintenance records, fugitive data, performance tests, capture/control device efficiencies, direct pollutant monitoring (CEMS, COMS, or PEMS), or control device parametric monitoring. These records shall be made readily accessible and available as required by 30 TAC § 122.144. Any monitoring or recordkeeping data indicating noncompliance with the PBR or Standard Permit shall be considered and reported as a deviation according to 30 TAC § 122.145 (Reporting Terms and Conditions).

Compliance Requirements

10. The permit holder shall certify compliance in accordance with 30 TAC § 122.146. The permit holder shall comply with 30 TAC § 122.146 using at a minimum, but not limited to, the continuous or intermittent compliance method data from monitoring, recordkeeping, reporting, or testing required by the permit and any other credible evidence or information. The certification period may not exceed 12 months and the certification must be submitted within 30 days after the end of the period being certified.
11. Use of Emission Credits to comply with applicable requirements:
 - A. Unless otherwise prohibited, the permit holder may use emission credits to comply with the following applicable requirements listed elsewhere in this permit:
 - (i) Title 30 TAC Chapter 115
 - (ii) Title 30 TAC Chapter 117
 - (iii) Offsets for Title 30 TAC Chapter 116
 - B. The permit holder shall comply with the following requirements in order to use the emission credits to comply with the applicable requirements:
 - (i) The permit holder must notify the TCEQ according to 30 TAC § 101.306(c)-(d)
 - (ii) The emission credits to be used must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 1
 - (iii) The executive director has approved the use of the credit according to 30 TAC § 101.306(c)-(d)
 - (iv) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.302(g) and 30 TAC Chapter 122
 - (v) Title 30 TAC § 101.305 (relating to Emission Reductions Achieved Outside the United States)
12. Use of Discrete Emission Credits to comply with the applicable requirements:
 - A. Unless otherwise prohibited, the permit holder may use discrete emission credits to comply with the following applicable requirements listed elsewhere in this permit:
 - (i) Title 30 TAC Chapter 115
 - (ii) Title 30 TAC Chapter 117

- (iii) If applicable, offsets for Title 30 TAC Chapter 116
 - (iv) Temporarily exceed state NSR permit allowables
- B. The permit holder shall comply with the following requirements in order to use the credit to comply with the applicable requirements:
 - (i) The permit holder must notify the TCEQ according to 30 TAC § 101.376(d)
 - (ii) The discrete emission credits to be used must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 4
 - (iii) The executive director has approved the use of the discrete emission credits according to 30 TAC § 101.376(d)(1)(A)
 - (iv) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.372(h) and 30 TAC Chapter 122
 - (v) Title 30 TAC § 101.375 (relating to Emission Reductions Achieved Outside the United States)

Risk Management Plan

- 13. For processes subject to 40 CFR Part 68 and specified in 40 CFR § 68.10, the permit holder shall comply with the requirements of the Accidental Release Prevention Provisions in 40 CFR Part 68. The permit holder shall submit to the appropriate agency either a compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR § 68.10(a), or as part of the compliance certification submitted under this permit, a certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of a risk management plan.

Protection of Stratospheric Ozone

- 14. Permit holders at a site subject to Title VI of the FCAA Amendments shall meet the following requirements for protection of stratospheric ozone:
 - A. Any on site servicing, maintenance, and repair on refrigeration and nonmotor vehicle air-conditioning appliances using ozone-depleting refrigerants or non-exempt substitutes shall be conducted in accordance with 40 CFR Part 82, Subpart F. Permit holders shall ensure that repairs on or refrigerant removal from refrigeration and nonmotor vehicle air-conditioning appliances using ozone-depleting refrigerants are performed only by properly certified technicians using certified equipment. Records shall be maintained as required by 40 CFR Part 82, Subpart F.

Permit Location

- 15. The permit holder shall maintain a copy of this permit and records related to requirements listed in this permit on site.

Permit Shield (30 TAC § 122.148)

- 16. A permit shield is granted for the emission units, groups, or processes specified in the attached "Permit Shield." Compliance with the conditions of the permit shall be deemed compliance with

the specified potentially applicable requirements or specified potentially applicable state-only requirements listed in the attachment "Permit Shield." Permit shield provisions shall not be modified by the executive director until notification is provided to the permit holder. No later than 90 days after notification of a change in a determination made by the executive director, the permit holder shall apply for the appropriate permit revision to reflect the new determination. Provisional terms are not eligible for this permit shield. Any term or condition, under a permit shield, shall not be protected by the permit shield if it is replaced by a provisional term or condition or the basis of the term and condition changes.

Attachments

Applicable Requirements Summary

Additional Monitoring Requirements

Permit Shield

New Source Review Authorization References

Applicable Requirements Summary

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Note: A “none” entry may be noted for some emission sources in this permit’s “Applicable Requirements Summary” under the heading of “Monitoring and Testing Requirements” and/or “Recordkeeping Requirements” and/or “Reporting Requirements.” Such a notation indicates that there are no requirements for the indicated emission source as identified under the respective column heading(s) for the stated portion of the regulation when the emission source is operating under the conditions of the specified SOP Index Number. However, other relevant requirements pursuant to 30 TAC Chapter 122 including Recordkeeping Terms and Conditions (30 TAC § 122.144), Reporting Terms and Conditions (30 TAC § 122.145), and Compliance Certification Terms and Conditions (30 TAC § 122.146) continue to apply.

Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
NA-PROC	INORGANIC CHEMICAL MANUFACTURING PROCESSES	N/A	R7405	30 TAC Chapter 117, Nitric Acid Man.-Ozone NA	No changing attributes.
NA-PROC	INORGANIC CHEMICAL MANUFACTURING PROCESSES	N/A	60G72	40 CFR Part 60, Subpart G	No changing attributes.

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
NA-PROC	EU	R7405	NO _x	30 TAC Chapter 117, Nitric Acid Man.-Ozone NA	§ 117.4105	No person may allow emissions of nitrogen oxides, calculated as nitrogen dioxide, from the absorber of any nitric acid production unit to exceed 2.0 pounds per ton of nitric acid produced, the production being expressed as 100% nitric acid, on a 24-hour rolling average.	§ 117.4135(a) § 117.4135(b) § 117.4135(c) § 117.4140(a) § 117.4140(b) § 117.4140(d) § 117.4140(e)	§ 117.4140(d) § 117.4145(d)	§ 117.4145(a)(1) § 117.4145(a)(2) § 117.4145(b) [G]§ 117.4145(c) [G]§ 117.4150
NA-PROC	PRO	60G72	NO _x	40 CFR Part 60, Subpart G	§ 60.72(a)(1)	After performance test required by §60.8 is completed, no owner or operator subject shall discharge to atmosphere from any affected facility gases which contain nitrogen oxides (NO ₂), >3.0 lb/ton of acid produced.	§ 60.73(a) § 60.73(b) § 60.73(c) § 60.73(e) § 60.74(a) [G]§ 60.74(b) [G]§ 60.74(c) § 60.74(d) ** See CAM Summary	§ 60.73(c)	§ 60.73(e)
NA-PROC	PRO	60G72	Opacity	40 CFR Part 60, Subpart G	§ 60.72(a)(2)	After §60.8 test, no owner or operator shall discharge into the atmosphere from any affected facility any gases which exhibit 10 percent opacity, or greater.	§ 60.74(a) ** See Periodic Monitoring Summary	None	None

Additional Monitoring Requirements

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CAM Summary

Unit/Group/Process Information	
ID No.: NA-PROC	
Control Device ID No.: C001-STK	Control Device Type: Selective Catalytic Reduction (SCR)
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart G	SOP Index No.: 60G72
Pollutant: NO _x	Main Standard: § 60.72(a)(1)
Monitoring Information	
Indicator: NO _x Concentration	
Minimum Frequency: 4 times per hour	
Averaging Period: 3 hours	
Deviation Limit: The maximum nitrogen oxide emission rate is 3.0 lb. per ton of nitric acid produced.	
<p>CAM Text: Use a continuous emission monitoring system (CEMS) to measure and record the concentration of nitrogen oxides in the exhaust stream of the control device. The CEMS shall be operated in accordance with the monitoring requirements of 40 CFR § 60.13 and the performance specifications of 40 CFR Part 60, Appendix B. NO_x Emissions shall be corrected/calculated in units of the underlying applicable emission limitation (pounds per ton of nitric acid, pounds per hour, ppm).</p>	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: NA-PROC	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart G	SOP Index No.: 60G72
Pollutant: Opacity	Main Standard: § 60.72(a)(2)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: Monthly	
Averaging Period: n/a	
Deviation Limit: Greater than 10 percent opacity averaged over a six-minute period.	
<p>Periodic Monitoring Text: If visible emissions are not present during the observation, the RO may certify that the source is in compliance; however, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report or shall be monitored, by a certified observer, for at least one, six-minute period in accordance with Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Appendix A, Test Method 9. Any opacity readings above the deviation limit shall be reported as a deviation.</p>	

Permit Shield

Permit Shield 18

Permit Shield

The Executive Director of the TCEQ has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process in this table.

Unit/Group/Process		Regulation	Basis of Determination
ID No.	Group/Inclusive Units		
DRUM-FUG	N/A	30 TAC Chapter 115, Pet. Refinery & Petrochemicals	The unit is not a source type specified in this chapter
DRUM-FUG	N/A	40 CFR Part 60, Subpart DDD	This is not a polymer manufacturing plant
DRUM-FUG	N/A	40 CFR Part 60, Subpart GGG	This site is not a petroleum refinery
DRUM-FUG	N/A	40 CFR Part 60, Subpart KKK	This is not an onshore natural gas processing plant
DRUM-FUG	N/A	40 CFR Part 60, Subpart VV	The facility is not part of the Synthetic Organic Chemical Manufacturing Industry
DRUM-FUG	N/A	40 CFR Part 61, Subpart F	The plant does not produce any of the chemical listed in the subpart
DRUM-FUG	N/A	40 CFR Part 61, Subpart J	There is no equipment operating in Benzene Service
DRUM-FUG	N/A	40 CFR Part 61, Subpart V	There is no equipment operating in Volatile Hazardous Air Pollutant Service
DRUM-FUG	N/A	40 CFR Part 63, Subpart CC	The site is not petroleum refinery
DRUM-FUG	N/A	40 CFR Part 63, Subpart H	There is no equipment operating in Organic Hazardous Air Pollutant Service
DRUM-FUG	N/A	40 CFR Part 63, Subpart I	The unit is not a source type specified in this subpart
GRP-NATKS	B-101, B-103, B-210A, B-210B, B-210C, B-210D, B-210E	30 TAC Chapter 115, Storage of VOCs	The vessels do not store VOC
GRP-NATKS	B-101, B-103, B-210A, B-210B, B-210C, B-210D, B-210E	40 CFR Part 60, Subpart K	The Vessels do not store petroleum liquid
GRP-NATKS	B-101, B-103, B-210A, B-210B,	40 CFR Part 60, Subpart Kb	The vessels do not store volatile organic

Permit Shield

The Executive Director of the TCEQ has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process in this table.

Unit/Group/Process		Regulation	Basis of Determination
ID No.	Group/Inclusive Units		
	B-210C, B-210D, B-210E		liquids
GRP-NATKS	B-101, B-103, B-210A, B-210B, B-210C, B-210D, B-210E	40 CFR Part 60, Subpart QQQ	The site is not a petroleum refinery
GRP-NATKS	B-101, B-103, B-210A, B-210B, B-210C, B-210D, B-210E	40 CFR Part 61, Subpart FF	The vessels do not store waste
GRP-NATKS	B-101, B-103, B-210A, B-210B, B-210C, B-210D, B-210E	40 CFR Part 61, Subpart L	The vessels are not at a coke by-product recovery plant
GRP-NATKS	B-101, B-103, B-210A, B-210B, B-210C, B-210D, B-210E	40 CFR Part 61, Subpart Y	The vessels do not store benzene
GRP-NATKS	B-101, B-103, B-210A, B-210B, B-210C, B-210D, B-210E	40 CFR Part 63, Subpart CC	The site is not petroleum refinery
GRP-NATKS	B-101, B-103, B-210A, B-210B, B-210C, B-210D, B-210E	40 CFR Part 63, Subpart DD	This is not an off-site waste and recovery operation
GRP-NATKS	B-101, B-103, B-210A, B-210B, B-210C, B-210D, B-210E	40 CFR Part 63, Subpart G	The facility is not part of the Synthetic Organic Chemical Manufacturing Industry
GRP-NATKS	B-101, B-103, B-210A, B-210B, B-210C, B-210D, B-210E	40 CFR Part 63, Subpart R	The site is not a gasoline distribution facility
NA-FUG	N/A	30 TAC Chapter 115, Petroleum Refinery & Petrochemicals	The unit is not a source type specified in this chapter
NA-FUG	N/A	40 CFR Part 60, Subpart DDD	This is not a polymer manufacturing plant
NA-FUG	N/A	40 CFR Part 60, Subpart GGG	The site is not a petroleum refinery
NA-FUG	N/A	40 CFR Part 60, Subpart KKK	This is not an onshore natural gas processing plant
NA-FUG	N/A	40 CFR Part 60, Subpart VV	The facility is not part of the Synthetic Organic

Permit Shield

The Executive Director of the TCEQ has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process in this table.

Unit/Group/Process		Regulation	Basis of Determination
ID No.	Group/Inclusive Units		
			Chemical Manufacturing Industry
NA-FUG	N/A	40 CFR Part 61, Subpart F	The plant does not produce any of the chemicals listed in the subpart
NA-FUG	N/A	40 CFR Part 61, Subpart J	There is no equipment operating in Benzene Service
NA-FUG	N/A	40 CFR Part 61, Subpart V	There is no equipment operating in Volatile Hazardous Air Pollutant Service
NA-FUG	N/A	40 CFR Part 63, Subpart CC	The site is not a petroleum refinery
NA-FUG	N/A	40 CFR Part 63, Subpart H	There is no equipment operating in Organic Hazardous Air Pollutant Service
NA-FUG	N/A	40 CFR Part 63, Subpart I	There is no equipment operating in Organic Hazardous Air Pollutant Service
RV-STK	N/A	30 TAC Chapter 115, Vent Gas Controls	The vent stream does not contain VOC.
RV-STK	N/A	40 CFR Part 63, Subpart CC	The site is not a petroleum refinery.
RV-STK	N/A	40 CFR Part 63, Subpart DD	This is not a waste management or recovery operation as specified in this subpart.
RV-STK	N/A	40 CFR Part 63, Subpart G	This is not a process vent as defined in this subpart.
WW-FUG	N/A	30 TAC Chapter 115, Storage of VOCs	The vessel does not store VOC
WW-FUG	N/A	40 CFR Part 60, Subpart K	The vessel does not store petroleum liquids
WW-FUG	N/A	40 CFR Part 60, Subpart Ka	The vessel does not store petroleum liquids
WW-FUG	N/A	40 CFR Part 60, Subpart Kb	The vessel does not store volatile organic liquids

Permit Shield

The Executive Director of the TCEQ has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process in this table.

Unit/Group/Process		Regulation	Basis of Determination
ID No.	Group/Inclusive Units		
WW-FUG	N/A	40 CFR Part 60, Subpart QQQ	The site is not a petroleum refinery
WW-FUG	N/A	40 CFR Part 61, Subpart FF	The vessel does not store waste
WW-FUG	N/A	40 CFR Part 61, Subpart L	The vessel is not at a coke by-product recovery plant
WW-FUG	N/A	40 CFR Part 61, Subpart Y	The vessel does not store benzene
WW-FUG	N/A	40 CFR Part 63, Subpart CC	The site is not a petroleum refinery
WW-FUG	N/A	40 CFR Part 63, Subpart DD	This is not an off-site waste and recovery
WW-FUG	N/A	40 CFR Part 63, Subpart G	The facility is not part of the Synthetic Organic Chemical Manufacturing Industry
WW-FUG	N/A	40 CFR Part 63, Subpart R	The site is not gasoline distribution facility
X-210	N/A	40 CFR Part 61, Subpart L	Not associated with a coke by-product recovery.
X-210	N/A	40 CFR Part 63, Subpart F	Cooling water is used to cool fluids containing less than five percent HAPS.
X-210	N/A	40 CFR Part 63, Subpart Q	Not operated with chromium-based water treatment chemicals.

New Source Review Authorization References

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New Source Review Authorization References

The New Source Review authorizations listed in the table below are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Title 30 TAC Chapter 116 Permits, Special Permits, and Other Authorizations (Other Than Permits By Rule, PSD Permits, or NA Permits) for the Application Area.	
Authorization No.: 33987	Issuance Date: 10/20/2017
Permits By Rule (30 TAC Chapter 106) for the Application Area	
Number: 106.261	Version No./Date: 11/01/2003
Number: 106.262	Version No./Date: 11/01/2003
Number: 106.263	Version No./Date: 11/01/2001
Number: 106.371	Version No./Date: 09/04/2000

New Source Review Authorization References by Emissions Unit

The following is a list of New Source Review (NSR) authorizations for emission units listed elsewhere in this operating permit. The NSR authorizations are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Unit/Group/Process ID No.	Emission Unit Name/Description	New Source Review Authorization
B-101	START-UP ACID TANK	33987
B-103	ACID PURGE SUMP	33987
B-210A	NITRIC ACID STORAGE TANK	33987
B-210B	NITRIC ACID STORAGE TANK	33987
B-210C	NITRIC ACID STORAGE TANK	33987
B-210D	NITRIC ACID STORAGE TANK	33987
B-210E	NITRIC ACID STORAGE TANK E	33987
DRUM-FUG	DRUM FILLING FUGITIVES	33987
NA-FUG	NITRIC ACID PROCESS FUGITIVES	33987, 106.261/11/01/2003, 106.262/11/01/2003
NA-PROC	NITRIC ACID PROCESS UNIT	33987, 106.261/11/01/2003, 106.262/11/01/2003
RV-STK	AMMONIA RELIEF VALVE STACK	33987
WW-FUG	WASTEWATER STORAGE TANK	33987
X-210	COOLING TOWER	33987, 106.371/09/04/2000

Appendix A

Acronym List 26

Acronym List

The following abbreviations or acronyms may be used in this permit:

ACFM	actual cubic feet per minute
AMOC	alternate means of control
ARP	Acid Rain Program
ASTM	American Society of Testing and Materials
B/PA	Beaumont/Port Arthur (nonattainment area)
CAM	Compliance Assurance Monitoring
CD	control device
CEMS	continuous emissions monitoring system
CFR	Code of Federal Regulations
COMS	continuous opacity monitoring system
CVS	closed vent system
D/FW	Dallas/Fort Worth (nonattainment area)
EP	emission point
EPA	U.S. Environmental Protection Agency
EU	emission unit
FCAA Amendments	Federal Clean Air Act Amendments
FOP	federal operating permit
gr/100 scf	grains per 100 standard cubic feet
HAP	hazardous air pollutant
H/G/B	Houston/Galveston/Brazoria (nonattainment area)
H ₂ S	hydrogen sulfide
ID No.	identification number
lb/hr	pound(s) per hour
MACT	Maximum Achievable Control Technology (40 CFR Part 63)
MMBtu/hr	Million British thermal units per hour
NA	nonattainment
N/A	not applicable
NADB	National Allowance Data Base
NESHAP	National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61)
NO _x	nitrogen oxides
NSPS	New Source Performance Standard (40 CFR Part 60)
NSR	New Source Review
ORIS	Office of Regulatory Information Systems
Pb	lead
PBR	Permit By Rule
PEMS	predictive emissions monitoring system
PM	particulate matter
ppmv	parts per million by volume
PRO	process unit
PSD	prevention of significant deterioration
psia	pounds per square inch absolute
SIP	state implementation plan
SO ₂	sulfur dioxide
TCEQ	Texas Commission on Environmental Quality
TSP	total suspended particulate
TVP	true vapor pressure
U.S.C.	United States Code
VOC	volatile organic compound